

Village of Bensenville  
Board Room  
12 South Center Street  
DuPage and Cook Counties  
Bensenville, IL, 60106

**MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION**

February 7, 2023

**CALL TO ORDER:** The meeting was called to order by Chairman Rowe at 6:30p.m.

**ROLL CALL :** Upon roll call the following Commissioners were present:  
Rowe, Chambers, King, Marcotte, Wasowicz  
Absent: Ciula, Czarnecki  
A quorum was present.

**STAFF PRESENT:** K. Pozsgay, N. Arquette, C. Williamsen

**JOURNAL OF PROCEEDINGS:** The minutes of the Community Development Commission Meeting of the November 1, 2022 were presented.

**Motion:** Commissioner King made a motion to approve the minutes as presented. Commissioner Wasowicz seconded the motion.

All were in favor. Motion carried.

Director of Community Development, Kurtis Pozsgay and Village Planner, Nick Arquette were present and sworn in by Chairman Rowe.

**PUBLIC COMMENT:** There was no Public Comment.

**Public Hearing:** CDC Case Number 2023-01  
**Petitioner:** Midwest Real Estate Holding LLC  
**Location:** 1001 Foster Avenue  
**Request:** Site Plan Review  
Municipal Code Section 10 – 3 – 2  
Variation, Maximum Off-Street Parking Spaces  
Municipal Code Section 10 – 8 – 2B – 6  
Variation, Pedestrian Circulation Systems  
Municipal Code Section 10 – 8 – 7  
Variation, Parking Lot Tree Canopy Coverage  
Municipal Code Section 10 – 9 – 5A  
Variation, Parking Lot Interior Landscape  
Municipal Code Section 10 – 9 – 5C

**Motion:** Commissioner Wasowicz made a motion to open CDC Case No. 2023-01. Commissioner Chambers seconded the motion.

**ROLL CALL :** Upon roll call the following Commissioners were present:  
Rowe, Chambers, King, Marcotte, Wasowicz  
Absent: Ciula, Czarnecki  
A quorum was present.

Chairman Rowe opened CDC Case No. 2023-01 at 6:32 p.m.

Village Planner, Nick Arquette, was present and sworn in by Chairman Rowe. Mr. Arquette stated a Legal Notice was published in the Daily Herald on January 19, 2023. Mr. Arquette stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Arquette stated Village personnel posted two Notice of Public Hearing signs on the property, visible from the public way on January 20, 2023. Mr. Arquette stated on January 20, 2023 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Mr. Arquette stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Arquette stated the Petitioner, Midwest Real Estate Holdings LLC, is seeking approval of Site Plan Review and Variations in order to install a new parking lot in the southeast corner of the subject property. Mr. Arquette stated the maximum parking spaces allowed for the property under the current Village zoning code is

60 spaces. Mr. Arquette stated the existing parking lots include a total of 137 spaces, and the potential addition of the new parking lot would increase the total to 161 spaces. Mr. Arquette stated the site plan also requires variations for Parking lot interior landscaping, as the rows of parking are 12 spaces wide, and there are no landscape islands on the west ends of the parking rows. Mr. Arquette stated the company currently employs approximately 250 employees, and does not have adequate parking on the property for the number of employees that drive to work. Mr. Arquette stated overflow parking is currently being moved to an offsite location east of the property.

Tom Murphy of Midwest Goods, was present and sworn in by Chairman Rowe. Mr. Murphy stated the proposed plan will increase parking to allow for all employees to park on site by adding twenty-four spaces and two handicap spaces. Mr. Murphy requested Staff's recommendation of driveway and apron removal be reconsidered and removed from the recommendations.

Mr. Pozsgay explained Staff's reasoning for the recommendation and that since the beginning of the process, this has always been an understood requirement.

There were no questions from the Commission.

### **Public Comment**

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Arquette reviewed the Findings of Fact for the proposed Site Plan Review in the Staff Report consisting of:

- 1) **Surrounding Character:** The site plan for the proposed development is consistent with the existing character and zoning of adjacent properties and other property within the immediate vicinity of the proposed development.

**Applicant's Response:** The site plan submitted demonstrates that the proposed additional parking is wholly consistent with zoning and character of adjacent properties and will not adversely affect the adjacent properties or other properties in the immediate vicinity.

- 2) **Neighborhood Impact:** The site plan for the proposed development will not adversely impact adjacent properties and

other properties within the immediate vicinity of the proposed development.

**Applicant's Response:** The Site Plan submitted demonstrates that the proposed additional parking is wholly consistent with zoning and character of adjacent properties and will not adversely affect the adjacent properties or other properties in the immediate vicinity.

- 3) **Public Facilities:** The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.

**Applicant's Response:** The proposed additional parking has taken into account the proper and efficient drainage and stormwater flow, asset forth in the engineering plans submitted for review. The proposed additional parking will also have exterior lighting consistent with and similar to the existing exterior lighting on the property.

- 4) **Environmental Preservation:** The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.

**Applicant's Response:** The Site plan provides for the landscaping of the area which would front Foster Avenue in a manner that will be aesthetically pleasing and will be consistent with the landscaping of the existing parking area on the Property which fronts Foster Avenue.

- 5) **On-Site Pedestrian Circulation System:** The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.

**Applicant's Response:** The proposed parking area will also have a walkway for employees to access the Property and the building without the need to walk on Foster Avenue from Country Club Drive or the off-site temporary parking location.

- 6) **Vehicle Ingress and Egress:** The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.

**Applicant's Response:** The Owner proposes to add an additional parking lot consisting of 24 parking spaces on the southeast corner of the Property with a curb cut for access 44 feet from the corner of Foster and Country Club Drive. By providing for this proposed curb cut, the Owner has planned for an efficient method of ingress and egress which will not have an adverse effect on the traffic flow of Foster Avenue or Country Club Drive.

- 7) **Architectural Design:** The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.

**Applicant's Response:** We believe that the proposed additional parking, as shown in the Site Plan, is wholly consistent with the intent and spirit of the Comprehensive Plan and other land use policies of the Village and shows improvements to be installed that will be aesthetically consistent with properties adjacent to the property.

- 8) **Consistent with Title and Plan:** The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

**Applicant's Response:** We believe that the proposed additional parking, as shown in the Site Plan, is wholly consistent with the intent and spirit of the Comprehensive Plan and other land use policies of the Village and shows improvements to be installed that will be aesthetically consistent with properties adjacent to the Property and will also be consistent with the intent and spirit of the Comprehensive Plan and other land use policies of the Village of Bensenville.

Mr. Arquette reviewed the Findings of Fact for the proposed Variations in the Staff Report consisting of:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

**Applicant's Response:** This variation, if granted, will not endanger the safety, health, convenience or welfare of the public in any way. In fact, this variation would eliminate employees walking on Foster and subjecting themselves to potential risks from drivers.

**2. Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

**Applicant's Response:** The variation is also consistent with other properties in the area that have parking surrounding their facilities.

**3. Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

**Applicant's Response:** The variation would eliminate the need for employees to park on the east side of Country Club Drive or using a temporary space some distance from the property, all of which creates an undue hardship for Midwest Goods' employees who do so.

**4. Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

**Applicant's Response:** Currently, there is an inadequate number of parking spaces on the Property and, as such, employees are either required to park on the east side of Country Club Drive or in an offsite location east of the Property at another property where Midwest Goods has arranged for temporary parking until May, 2023.

**5. Minimum Deviation Needed:** The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

**Applicant's Response:** The variation requested would slightly increase the density of the Property, but would be wholly contained on the Property and, when completed, the area fronting Foster would be landscaped consistent with other parking areas on the Property that front on Foster.

**6. Consistent with Ordinance and Plan:** The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

**Applicant's Response:** We believe that the variation requested is wholly consistent with the intent and spirit of the Comprehensive plan and other land use policies of the Village.

Mr. Arquette stated:

- Staff recommends the Approval of the Findings of Fact and therefore the approval of the Site Plan Review with the following conditions:
  - Site Plan Review approval shall be subject to the site plan by Haeger Engineering dated 01.25.2023 in relation to the variations approved herein. All other elements of the site plan must adhere to Village Zoning Ordinance requirements and Village Engineering Standards prior to issuance of final permit;
  - The proposed apron in the Village ROW shall meet the Village Standard Detail "Driveway Standard" and the detail shall be included in the plans during permit submission;
  - The existing curb at the location of the proposed driveway must be removed and replaced with depressed curb matching the existing curb type on Country Club Drive;
  - The existing drive-in door driveway and apron north of the proposed new driveway shall be removed and returned to greenspace, leaving only the proposed new driveway along the east lot line. The curb must be replaced to match the existing curbing on Country Club Drive. All right-of-way restoration shall be approved by Public Works during permitting;
  - A final landscape plan shall be submitted to an approved by the Zoning Administrator prior to permit approval. All landscape requirements outside of those variations requested herein must be met.
- Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Maximum Off-Street Parking Spaces at 1001 Foster Avenue with the following conditions:
  - Applicant must provide at least 6 accessible parking spaces on the property per Illinois Accessibility Code Requirements.



- Staff recommends the Approval of the Findings of Fact and therefore the approval of the variation for Pedestrian Circulation Systems at 1001 Foster Avenue with the following conditions:
  - Applicant must coordinate with staff during permitting to provide an alternate final pedestrian circulation system for the property to be approved prior to permit issuance.
- Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Parking Lot Tree Canopy Coverage at 1001 Foster Avenue.
- Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Parking Lot Interior Landscape at 1001 Foster Avenue.

There were no questions from the Commission.

Motion: Commissioner King made a motion to close CDC Case No. 2023-01. Chairman Rowe seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2023-01 at 6:47 p.m.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of the Site Plan Review, Municipal Code Section 10-3-2 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval of the Variation, Maximum Off-Street Parking Spaces, Municipal Code Section 10-8-2B-6 with Staff's Recommendations. Commissioner King seconded the motion.



ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of the Variation, Pedestrian Circulation System, Municipal Code Section 10-8-7 with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a combined motion to approve the Findings of Fact and Approval of the Variation, Parking Lot Tree Canopy Coverage, Municipal Code Section 10-9-5A with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of the Variation, Parking Lot Interior Landscape, Municipal Code Section 10-9-5C with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2023-02  
**Petitioner:** Sharp Staff, Inc.  
**Location:** 842 Foster Avenue  
**Request:** Special Use Permit, Professional Office  
Municipal Code Section 10 – 7 – 2 – 1

**Motion:** Commissioner Chambers made a motion to open CDC Case No. 2023-02. Commissioner Marcotte seconded the motion.

**ROLL CALL :** Upon roll call the following Commissioners were present:  
Rowe, Chambers, King, Marcotte, Wasowicz  
Absent: Ciula, Czarnecki  
A quorum was present.

Chairman Rowe opened CDC Case No. 2023-02 at 6:50 p.m.

Village Planner, Nick Arquette, was present and sworn in by Chairman Rowe. Mr. Arquette stated a Legal Notice was published in the Daily Herald on January 19, 2023. Mr. Arquette stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Arquette stated Village personnel posted one Notice of Public Hearing signs on the property, visible from the public way on January 20, 2023. Mr. Arquette stated on January 20, 2023 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Mr. Arquette stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Arquette stated the Petitioners, Sharp Staff, Inc., are seeking approval of a Special Use Permit for a Professional Office Use in the I-2 General Industrial District. Mr. Arquette stated Sharp Staff Inc.'s location at 842 Foster Avenue is primarily for administrative duties and online or phone interactions for their staffing business. Mr. Arquette stated the unit has approximately 500 SF of office space, and the remaining 1,700 SF are used for storage. Mr. Arquette stated the location has 4 employees on site, and averages about 3 – 5 visitors per day. Mr. Arquette stated per Village Zoning Code requirements, the professional office use at this location requires a minimum of 6 dedicated parking spaces.

Gabriel Pinto, employee of Sharp Staff, Inc, was present and sworn in by Chairman Rowe. Mr. Pinto stated they are seeking permission to operate their business of staffing and recruiting.

Commissioner King asked how many employees are on site. Mr. Pinto stated there are three to four employees on site and there are no expectations to grow.

### **Public Comment**

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Arquette reviewed the Findings of Fact for the proposed Special Use in the Staff Report consisting of:

- 1) **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

**Applicant's Response:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public. The office will perform administrative functions that will not impact the public in any negative way and will assist in providing employment opportunities.

- 2) **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

**Applicant's Response:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use. Sharp Staff is a professional recruiting and staffing company, this office will assist with administrative tasks that are in line with the character of adjacent properties.

- 3) **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

**Applicant's Response: The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use. The majority of the business will be down within the office with minimal traffic in and out of the office location.**

- 4) **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

**Applicant's Response: The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area. The business use of the office will not need or require any disproportionate use of any of the items listed.**

- 5) **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

**Applicant's Response: The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village. Yes, Sharp Staff is professional services company and this location will be used to support those services administratively.**

Mr. Arquette stated:

- Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Professional office, with the following conditions:

- The Special Use Permit be granted solely to Sharp Staff, Inc. and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.

There were no questions from the Commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2023-02. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2023-02 at 6:54 p.m.

Motion: Commissioner Marcotte made a combined motion to approve the Findings of Fact and Approval of the Special Use Permit, Professional Office, Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2023-03  
**Petitioner:** Mark and Jaqueline Bussert  
**Location:** 440-444 S. Church Road  
**Request:** Preliminary and Final Plat of Subdivision  
Municipal Code Section 11 – 3

**Motion:** Commissioner Wasowicz made a motion to open CDC Case No. 2023-03. Commissioner Marcotte seconded the motion.

**ROLL CALL :** Upon roll call the following Commissioners were present:  
Rowe, Chambers, King, Marcotte, Wasowicz  
Absent: Ciula, Czarnecki  
A quorum was present.

Chairman Rowe opened CDC Case No. 2023-03 at 6:56 p.m.

Village Planner, Nick Arquette, was present and sworn in by Chairman Rowe. Mr. Arquette stated a Legal Notice was published in the Daily Herald on January 19, 2023. Mr. Arquette stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Arquette stated Village personnel posted two Notice of Public Hearing signs on the property, visible from the public way on January 20, 2023. Mr. Arquette stated on January 20, 2023 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Mr. Arquette stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Arquette stated the Petitioners are seeking approval of a Plat of Subdivision in order to subdivide two adjacent north/south parcels (440 & 444 S Church Road) into two adjacent east/west parcels. Mr. Arquette stated the subdivision will allow for the existing home structure to remain on the new west parcel, and the petitioner also plans to construct a new home on the eastern new parcel after the execution of the plat of subdivision. Mr. Arquette stated utilities on the property will need to be reconfigured to meet all requirements. Mr. Arquette stated the proposed western lot will have frontage on 2<sup>nd</sup> Court, and the proposed eastern lot will have frontage on both 2<sup>nd</sup> Court and S Church Road.

Mark Bussert, Property Owner, was present and sworn in by Chairman Rowe. Mr. Bussert stated he purchased the property last year with the purpose of building a new home on site; him and his wife currently live in the small home on the site.

Commissioner Marcotte asked if the current home on the property would remain. Mr. Bussert stated they are undecided; they might rent it out to a grandson, knock it down or use it for a work-shed.

### **Public Comment**

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Arquette stated:

- Staff recommends the Approval of the Findings of Fact and therefore the approval of the Preliminary and Final Plat of Subdivision with the following conditions:
  - Petitioner shall coordinate with the Village Engineer regarding required land improvements for subdivisions in tandem with permit application for driveway paving and removal, and for proposed new home construction. The projects will be subject to the subdivision requirements in Village Code Section 11-5, such as street grading and improvements, pedestrianways, and the requirements set forth for public utilities. The projects will also be subject to applicable stormwater requirements.
  - All public improvements or improvements on public property or on property intended to be dedicated for public use, shall hereafter be constructed in the Village by private contract only after permit or approval shall have been obtained.
  - Permits shall be obtained from the governing body for the installation of communication, electric power, gas, television cable and other utility services in public or private rights-of-way or easements.
  - The western parcel must connect the existing sanitary sewer out to the public sanitary sewer on 2<sup>nd</sup> Court.
  - Applicant must run new water and sewer service for any new home structure on the east parcel to the adjacent Village mains. The existing sanitary connection to Church Road will need to be cut out and a new cut in tee will be required.



- Future development of the eastern parcel may require Best Management Practices (BMPs) per DuPage County Stormwater. The Village will require the BMP be placed into a Stormwater Management Easement that will need to be reflected and recorded with the County.
- Existing gravel driveway on western parcel leading to 2<sup>nd</sup> Court must be paved in its current configuration and dimensions. If changes are contemplated to the driveway dimensions, applicant must conform to all current zoning code requirements.
- Existing asphalt drive and concrete apron leading to Church Road from the proposed western parcel shall be removed and restored to greenspace. Curbing must be replaced where existing concrete apron is removed. All Right-of-Way work must be submitted to and approved by the Village Engineer.

There were no questions from the Commission.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2023-03. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2023-03 at 7:03 p.m.

Motion: Commissioner Wasowicz made a motion to approve the Preliminary and Final Plat of Subdivision, Municipal Code Section 11-3 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2023-04  
**Petitioner:** LSCD of Bensenville, LLC  
**Location:** 1180 West Irving Park Road  
**Request:** Site Plan Review  
Municipal Code Section 10 – 3 – 2  
Special Use Permit, Self-service storage  
Municipal Code Section 10 – 7 – 2 – 1  
Variation, Minimum Off-Street Parking Requirements  
Municipal Code Section 10 – 8 – 2 – 1  
Variation, Frontage Sidewalk Width  
Municipal Code Section 10 – 8 – 7E – 4  
Variation, Driveway Location  
Municipal Code Section 10 – 8 – 8A  
Variation, Maximum Driveway Width  
Municipal Code Section 10 – 8 – 8 – 1  
Variation, Off-Street Loading Requirements  
Municipal Code Section 10 – 8 – 11 – 1  
Variation, Tree Preservation Replacement Rate  
Municipal Code Section 10 – 9 – 2B – 1a  
Variation, Street Trees  
Municipal Code Section 10 – 9 – 4  
Variation, Tree Canopy Coverage  
Municipal Code Section 10 – 9 – 5A  
Variation, Parking Lot Perimeter Landscape  
Municipal Code Section 10 – 9 – 5B

**Motion:** Commissioner Marcotte made a motion to open CDC Case No. 2023-04. Commissioner Chambers seconded the motion.

**ROLL CALL :** Upon roll call the following Commissioners were present:  
Rowe, Chambers, King, Marcotte, Wasowicz  
Absent: Ciula, Czarnecki  
A quorum was present.

Chairman Rowe opened CDC Case No. 2023-04 at 7:06 p.m.

Village Planner, Nick Arquette, was present and sworn in by Chairman Rowe. Mr. Arquette stated a Legal Notice was published in the Daily Herald on January 19, 2023. Mr. Arquette stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Arquette stated Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on January 20, 2023. Mr. Arquette stated on January 20, 2023 Village personnel mailed from the Bensenville Post Office via First Class

Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Mr. Arquette stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Liz Butler, Attorney for the Petitioner, was present and sworn in by Chairman Rowe. Ms. Butler stated LSCD of Bensenville, LLC, is seeking approval of Site Plan Review, a Special Use Permit, and Variations to construct a new climate-controlled four story self-service storage facility. Ms. Butler stated the proposed facility will house 1,024 storage units and proposes to provide 10 parking spaces. Ms. Butler stated 7 parking spaces are located at the front of the structure, and three additional spaces are available within the building adjacent to the indoor loading area. Ms. Butler stated patrons will enter and exit the premises via two access easements stemming from the existing speedway parking lot and a one-way driveway extending from the north access point to the south access point.

Chris Payne, Architect for LSCD of Bensenville, LLC was present and sworn in by Chairman Rowe. Mr. Payne reviewed the design of the project and the proposed site plan.

Jean L. Jodoin, part owner of LSCD of Bensenville, LLC was present and sworn in by Chairman Rowe. Mr. Jodoin stated he was present to introduce himself and provided background of his company. Mr. Jodoin shared renderings of other projects they have completed around the County.

Chairman Rowe asked if any mechanical work would occur outside. Ms. Havryliuk stated all work will occur inside the building.

### **Public Comment**

Chairman Rowe asked if there were any members of the Public that would like to make comment.

### **Paul De Michele – 17W127 Rodeck Lane, Bensenville, Illinois**

Mr. De Michele was present and sworn in by Chairman Rowe. Mr. De Michele asked if the building would be sprinklered. Mr. Jodoin stated it would be.

**Emil Moreno – 1133 W. Irving Park Road, Bensenville, Illinois**

Mr. Moreno was present and sworn in by Chairman Rowe. Mr. Moreno stated he lives across the street from the proposed project and is supportive of it. Mr. Moreno shared that the property used to be used as a dump site in the 1950s and asked if toxic waste would be removed.

Mr. Jodoin thanked Mr. Moreno for his knowledge of the property and stated soil borings have not been completed but that any toxic waste found of the property would be removed.

Mr. Arquette reviewed the Findings of Fact for the proposed Site Plan Review in the Staff Report consisting of:

1. **Surrounding Character:** The site plan for the proposed development is consistent with the existing character and zoning of adjacent properties and other property within the immediate vicinity of the proposed development.

**Applicant's Response: The proposed self-service storage facility use and the proposed site plan will be compatible with and will have no detrimental impact or influence upon surrounding properties. The site plan is complimentary to and similar in bulk, density, and scale to the character of the surrounding area and surrounding land uses.**

2. **Neighborhood Impact:** The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.

**Applicant's Response: The site plan for the Proposed Development will have no detrimental impact or influence upon surrounding properties. The Proposed Development is conscientiously designed to provide adequate landscaping and screening, to enhance the Village's character and livability, and mitigate any impact whatsoever on surrounding properties. For example, the project design includes an interior drive-through component. Customers will access the property via the shared driveway at the north, and will enter the building via a single dock on the east elevation of the building. Customers will then load and unload their goods within the one way drive through, interior to**

**this building. This design feature protects customers and their goods from the elements, while concealing all loading activities within the building. This proposed configuration buffers surrounding land users from noise and from the operations of the proposed use.**

3. **Public Facilities:** The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.

**Applicant's Response: The Proposed Development will be served by adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting and other necessary facilities. The proposal contemplates access via use of a shared driveway from Irving Park Road. Motorists accessing the site enter from the east and either enter the interior building drive-through entrance or park at one of the seven exterior parking spaces via a walkway that leads to the office entry.**

**Energy efficient, bright LED lighting will be installed inside and on the outside of the Proposed Development to ensure that the entire site is well lit and provides visitors with a sense of safety and security at all times. Exterior lighting will be thoughtfully designed and controlled to shine away from adjacent properties.**

**The parking requirement for self-service storage uses is 1 space per 25 storage units. The Proposed Development includes a total of approximately 1024 storage spaces ranging in size from 5'x5' to 10'x32'. Based on the strict requirements of the code, 42 parking spaces would be required for this use. The Applicant seeks a departure from the requirements of the C-2 District in order to provide a total of 10 parking spaces and two loading spaces as proposed. Based on the Applicant's extensive experience with self-storage development and operations, the proposed parking is more than adequate to accommodate anticipated customer and employee demand. Providing the proposed quantity of parking minimizes the incidence of underutilized**

**surface parking, in furtherance of Near-Term Recommendations of the Comprehensive Plan.**

**The proposed site plan therefore achieves this criterion by providing adequate walkways, driveways, parking facilities, loading facilities, and exterior lighting to serve the proposed self-storage use.**

4. **Environmental Preservation:** The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.

**Applicant's Response: The proposed site plan achieves this criterion as indicated in the landscaping plan and tree preservation and removal plan.**

5. **On-Site Pedestrian Circulation System:** The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.

**Applicant's Response: The Proposed Development contemplates vehicular access via use of a shared driveway from Irving Park Road, as authorized by an amended cross access easement agreement with the adjacent property owner. Motorists accessing the site enter from the east and either enter the interior building drive-through entrance or park at one of the seven exterior parking spaces via a walkway that leads to the office entry.**

**A key finding of the 2015 Comprehensive Plan with respect to the Irving Park Road corridor was that excessive curb cuts in this area impede safe vehicular and pedestrian movements. The Comprehensive Plan encourages access management as a tool to improve traffic safety and pedestrian comfort and convenience. The Proposed Development fulfills this objective of the Plan by using the existing driveway from Irving Park Road associated with the development to the east, rather than establishing new access points. To enable this, the Applicant worked collaboratively with the**

**Speedway property owners who have executed an amendment to a cross-access easement in connection with the Proposed Development.**

**By consolidating access, the Proposed Development reduces points of vehicular conflict and helps to develop a safe and welcoming environment for pedestrians. Additionally, a seven-foot wide sidewalk will be provided along the full length of the property frontage to enhance pedestrian safety and comfort.**

6. **Vehicle Ingress and Egress:** The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.

**Applicant's Response: The site plan employs shared curb cuts and cross-access easements with its neighbor to provide for safe and efficient ingress and egress. To facilitate this, the Applicant negotiated an amended cross access easement agreement with the adjacent Speedway property owner.**

7. **Architectural Design:** The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.

**Applicant's Response: The Proposed Development incorporates high-quality architectural design and building materials as contemplated by the Zoning Ordinance Design Requirements for Commercial Districts, including providing a defined masonry base, middle, and top. The building design incorporates vertical architectural elements on street facing facades at regular intervals to divide the flat wall plane and create articulation.**

8. **Consistent with Title and Plan:** The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

**Applicant's Response: The Applicant proposes to establish a self-service storage establishment at an infill location in the C-2 District. The proposal**



**fulfills the objectives of Village policies by offering a use that services the day-today needs of households within walking or short driving distance of the subject property. The proposal will activate and develop a vacant and underutilized site, in a manner that is compatible with surrounding land uses.**

**A key finding of the 2015 Comprehensive Plan with respect to the Irving Park Road corridor was that excessive curb cuts in this area impede safe vehicular and pedestrian movements. The Comprehensive Plan encourages access management as a tool to improve traffic safety and pedestrian comfort and convenience. The Proposed Development fulfills this objective of the Plan by using the existing driveway from Irving Park Road associated with the development to the east, rather than establishing new access points. By consolidating access, the Proposed Development reduces points of vehicular conflict and helps to develop a safe and welcoming environment for pedestrians.**

Mr. Arquette reviewed the Findings of Fact for the proposed Special Use in the Staff Report consisting of:

1. **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

**Applicant's Response: The Proposed Development and requested special use will not be injurious to the public health, safety, comfort, convenience or general welfare. To the contrary, the proposed facility will provide a valuable service that is needed and desired. Access to a high-quality and secure storage facility allows businesses to operate and expand. In the same way that co-working spaces provide the launching pad for small office-based companies or start-ups, self-storage facilities serve the same function, providing flexibility and allowing businesses room to grow, be agile, and scale up their operations.**

**A self-storage facility will be an amenity to the area, providing a useful and needed service to individuals and families as well as small and large businesses alike. The Applicant's internal market research bears out that there is a need and demand for a modern, high quality self-storage facility in this submarket and at this location specifically. Moreover, the proposed use is highly complementary with the existing Speedway use adjacent to the subject Property. Visitors to the Proposed Development are likely to also patronize the existing commercial use, generating additional business for the Speedway.**

**The manner in which this proposed use is designed and proposes to operate is in furtherance of the public health, safety and welfare, will have no adverse impact whatsoever on the surrounding neighborhood, and will in no way be injurious to property values. The opposite, in fact, is true.**

2. **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

**Applicant's Response: The proposed self-service storage facility use will be compatible with and will have no detrimental impact or influence upon surrounding properties. The proposed use is complimentary to the character of the surrounding area and surrounding land uses.**

3. **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

**Applicant's Response: The adjacent properties and those within the immediate vicinity of the proposed special use are substantially developed and improved. The subject Property is an infill**

**development site, the development of which will have no negative impact on the normal and orderly development and improvement of other properties in the area. To the contrary, the establishment of the special use affords more opportunity to fill this vacant and underutilized site with a use that services day to day needs of households within walking or short driving distance to the subject property.**

4. **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area.

**Applicant's Response: The Proposed Development will be served by adequate storm drainage facilities, public water supply and sanitary sewer facilities. The Property is accessible from public roads that are adequate to serve the traffic demand imposed upon them by the Proposed Development. Adequate ingress and egress and driveways exist to serve the Proposed Development. The Proposed Development will not impose an undue burden on the public services and facilities of the Village, such as fire, police and public works.**

5. **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

**Applicant's Response: In furtherance of the Comprehensive Plan, the Village of Bensenville amended its Zoning Ordinance in 2022 to authorize self-service storage establishments as a special use in the C-2 District. The requested special use approval was contemplated by and is therefore consistent with the Comprehensive Plan and the Village Zoning Ordinance.**

Mr. Arquette reviewed the Findings of Fact for the proposed Variation in the Staff Report consisting of:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

**Applicant's Response:** The Proposed Development and requested variations will not be injurious to the public health, safety, comfort, convenience or general welfare. To the contrary, the proposed facility will provide a valuable service that is needed and desired. Access to a high-quality and secure storage facility allows businesses to operate and expand. In the same way that co-working spaces provide the launching pad for small office-based companies or start-ups, self-storage facilities serve the same function, providing flexibility and allowing businesses room to grow, be agile, and scale up their operations.

Rather than endanger the health, safety, comfort, convenience, and general welfare, to the contrary, the Proposed Development will activate a site that has been vacant and unutilized for many years. The site, in its current condition, presents a greater risk to the public health, safety, and welfare via the potential for accumulation for debris, harboring of rodents, or unauthorized trespass or unsafe occupation of the unmonitored site by individuals who maybe unsheltered.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

**Applicant's Response:** The proposed self-service storage facility use and requested variations will be compatible with and will have no detrimental impact or influence upon surrounding properties. The proposed development is complimentary to the character of the surrounding area and surrounding land uses, specifically with regard to the immediately adjacent Speedway use. Customers of the Proposed Development are likely to patronize the existing commercial use, which is complimentary to the proposed facility.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

**Applicant's Response:** A strict enforcement of the requirements of the zoning ordinance would result in a hardship in that without the requested variations, the subject property would likely not be developable, a conclusion supported by the fact that the site has never been developed. Upon information and belief, the subject property has never been developed and has always been vacant. Given the many physical constraints of the lot, few developments or uses are capable of operating successfully at this site. The Proposed Development seeks the minimum zoning relief necessary to activate the site.

**4. Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

**Applicant's Response:** The hardships that would result from a strict enforcement of the Zoning Ordinance are the result of the unique physical attributes of the subject property including specifically its unique geometry, adjacency conditions, and pre-existing development parameters that affect the site – none of which were created by the Applicant. The subject property is deep and narrow and is bounded by elevated right of way on the west and railroad right of way on the south. The Property is also encumbered by various utility easements, public right of way bisecting the site, and an existing billboard – all of which present significant hurdles to designing a functional site plan that meets with the strict standards of the underlying zoning. Given the many physical constraints of the lot, few developments or uses are capable of operating successfully at this site. The Proposed Development seeks the minimum zoning relief necessary to activate the site.

**5. Minimum Deviation Needed:** The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

**Applicant's Response:** The requested variations represent the minimum deviations from the regulations necessary to accomplish the Proposed Development. The project design team met with Staff to discuss the requested variations and to the extent possible, many variations were eliminated by way of plan revisions to bring the site plan into conformance to the extent possible. The remaining requests represent the

**minimum code departures possible to facilitate the development proposal. It is unlikely that any use or development would be able to develop the subject property within the strict parameters of the requirements of the Zoning Ordinance, given the physical constraints of the site.**

**6. Consistent with Ordinance and Plan:** The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

**Applicant's Response:** The requested variations and Proposed Development are consistent with the intent of the Comprehensive Plan. In furtherance of the Comprehensive Plan, the Village of Bensenville amended its Zoning Ordinance in 2022 to authorize self-service storage establishments as a special use in the C-2 District, for example.

**Further, a key finding of the 2015 Comprehensive Plan with respect to the Irving Park Road corridor was that excessive curb cuts in this area impede safe vehicular and pedestrian movements. The Comprehensive Plan encourages access management as a tool to improve traffic safety and pedestrian comfort and convenience. The Proposed Development fulfills this objective of the Plan by using the existing driveway from Irving Park Road associated with the development to the east, rather than establishing new access points. By consolidating access, the Proposed Development reduces points of vehicular conflict and helps to develop a safe and welcoming environment for pedestrians.**

**Finally, providing the proposed quantity of parking minimizes the incidence of underutilized surface parking, in furtherance of Near-Term Recommendations of the Comprehensive Plan. The Proposed Development is therefore consistent with the Comprehensive Plan and the Village Zoning Ordinance.**

Mr. Arquette stated:

- Staff recommends the Approval of the Findings of Fact and therefore the approval of the Site Plan Review with the following conditions:
  - The property be developed in substantial compliance, except as amended herein, with the plans submitted by SGW Architecture & Design, dated 01/24/2023, and all other Village Code Requirements;



- A plat of vacation shall be required to vacate the existing Village owned right-of-way;
  - A plat of subdivision shall be required to consolidate all existing parcels within the development area;
  - A Final landscape plan in coordination with staff recommendations shall be submitted to and approved by the Zoning Administrator prior to landscape installation;
  - The Zoning Administrator shall have final review authority over the architectural design of the structure;
  - Applicant shall coordinate with staff to ensure proper striping and directional signage for the site during the permitting process.
- Staff recommends the Approval of the Findings of Fact and therefore the approval of the Special Use Permit, Self-service storage with the following conditions:
  - The Special Use Permit be granted solely to LSCD of Bensenville, LLC. and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants shall appear before a Public Meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit.
- Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Minimum Off-Street Parking Requirements at 1180 W Irving Park Road.
- Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Frontage Sidewalk Width Requirements at 1180 W Irving Park Road.
- Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Driveway Location at 1180 W Irving Park Road.
- Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Maximum Driveway Width at 1180 W Irving Park Road.



- Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Off-Street Loading Requirements at 1180 W Irving Park Road.
- Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Tree Preservation Replacement Rate at 1180 W Irving Park Road with the following conditions:
  - Additional trees shall be added to the site on the final landscape plan where feasible. If tree replacement rates cannot be fully met on the final landscape plan for the property, then applicant shall coordinate with staff to determine an appropriate fee-in-lieu for the remaining required tree replacement, to be approved by the Zoning Administrator.
- Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Street Trees at 1180 W Irving Park Road.
- Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Tree Canopy Coverage at 1180 W Irving Park Road.
- Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation for Parking Lot Perimeter Landscape at 1180 W Irving Park Road.

Commissioner Chambers asked if truck radius turning have been taken into account.

Mr. Jodoin stated all size vehicles have been considered in the design of the property.

Commissioner Chambers asked what size overhead door would be installed on the property.

Mr. Jodoin stated two fourteen foot doors would be installed.

Commissioner Marcotte asked if Speedway was okay with the shared access to the site.

Ms. Butler stated they have an access agreement in place.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2023-04. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2023-04 at 7:47 p.m.

Motion: Commissioner King made a combined motion to approve the Findings of Fact and Approval of the Site Plan Review, Municipal Code Section 10-3-2 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a combined motion to approve the Findings of Fact and Approval of the Special Use Permit, Self-Service Storage, Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of the Variation, Minimum Off-Street Parking Requirements, Municipal Code Section 10-8-2-1 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of the Variation, Frontage Sidewalk Width, Municipal Code Section 10-8-2-1 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a combined motion to approve the Findings of Fact and Approval of the Variation, Driveway Location, Municipal Code Section 10-8-8A with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a combined motion to approve the Findings of Fact and Approval of the Variation, Maximum Driveway Width, Municipal Code Section 10-8-8-1 with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a combined motion to approve the Findings of Fact and Approval of the Variation, Off-Street Loading Requirements, Municipal Code Section 10-8-11-1 with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a combined motion to approve the Findings of Fact and Approval of the Variation, Tree Preservation Replacement Rate, Municipal Code Section 10-9-2B-1A with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a combined motion to approve the Findings of Fact and Approval of the Variation, Street Trees, Municipal Code Section 10-9-4 with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of the Variation, Tree Canopy Coverage, Municipal Code Section 10-9-5A with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of the Variation, Parking Lot Perimeter Landscape, Municipal Code Section 10-9-5B with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

**CDC Case:** CDC Case Number 2023-05  
**Petitioner:** Sweetz 4 U  
**Location:** 1047 South York Road, Unit C  
**Request:** Façade Grant

Mr. Pozsgay explained the process of the Village's façade improvement program with the Commission.

The petitioner shared three proposals with the Commission for their input.

Consensus from the Commission was for the applicant to proceed with the proposal from Mark Your Space.

*Commissioner Wasowicz left the meeting at 8:00 p.m.*

**Report from  
Community  
Development:**

Mr. Arquette reviewed both recent CDC cases along with upcoming cases.

**ADJOURNMENT:** There being no further business before the Community Development Commission, Commissioner Marcotte made a motion to adjourn the meeting. Commissioner Chambers seconded the motion.

All were in favor. Motion carried.

The meeting was adjourned at 8:05 p.m.

A handwritten signature in black ink, appearing to be 'AR', is written over a horizontal line.

Ronald Rowe, Chairman  
Community Development Commission